

### REMARKS

Claim 69 is amended. Support for the amendment language is provided by the originally-filed application with exemplary embodiments of Applicant's invention at, for example, Fig. 21 and page 15 of the specification. Claim 72 is canceled. New claims 76-77 are added. The new claims are supported by the originally-filed application with exemplary embodiments of Applicant's invention at, for example, Fig. 21. Claims 69-71 and 73-77 remain in the application. Reconsideration of the application in view of the amendments and the remarks to follow is requested.

Claims 69-75 stand rejected under 35 U.S.C. §102(e) as being anticipated by Hames (6,100,160).

Claim 69 recites an insulative material filling the trench and having a portion outward of the trench and semiconductor substrate, an entirety of the insulative material comprising the **same stoichiometry**, and a polysilicon layer formed against the uppermost surface of the oxide layer and against the portion of the insulative material. Hames teaches a layer of polysilicon 260 over a trench (Fig. 2I). However, Hames further teaches a CVD oxide 230 having a portion outward of the trench (Fig. 2F) wherein a nitridation step 150 (Fig. 1; col. 4, Ins. 25-35) is provided to form the portion with nitrogen comprising a nitrated CVD oxide 240 (Fig. 2G; col. 4, Ins. 25-35). That is, the stoichiometry of the portion is changed from CVD oxide to nitrated CVD oxide to have a different

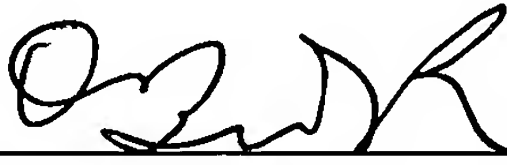
stoichiometry. Accordingly, it is inconceivable that Hames teaches or suggests an entirety of the insulative material comprising the same stoichiometry as positively recited in claim 69. Since Hames fails to teach or suggest a positively recited limitation of claim 69, claim 69 is allowable.

Claims 70-71 and 73-77 depend from independent claim 69, and therefore, are allowable for the reasons discussed above with respect to the independent claim, as well as for their own recited features which are not shown or taught by the art of record.

This application is now believed to be in immediate condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview prior to issuance of any such subsequent action.

Respectfully submitted,

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